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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/655,901	09/06/2000	Najeh Rahman	59550/117	8803

7590 06/04/2002

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EXAMINER

SAWHNEY, HARGOBIND S

ART UNIT	PAPER NUMBER
2875	

DATE MAILED: 06/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/655,901	RAHMAN, NAJEH 14
	Examiner Hargobind S Sawhney	Art Unit 2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 25 March 2002.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed on March 25, 2002 has been entered. Accordingly, the first sheet of the drawing containing Figure 1 has been replaced with the revised sheet submitted with the amendment.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.
3. Claim 1-8 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification or shown in figures in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.
 - Claim 1, line 5, "twinkle bulb" is not a common term used in the art, while the any flashing control bulb could be accepted as a twinkling bulb;
 - Claim 1, lines 3-7, "Standard bulb socket" and "non-standard bulb socket" are neither clearly distinguished in the specification, nor detailed in figures in the disclosure;

- Claim 1, lines 4 and 7, "standard bulb" and "non-standard twinkle bulb" need to be clearly defined and distinguished from each other;

This application has been examined considering a twinkle bulb as a flashing control bulb. In addition the limitations "standard bulb socket" and "non-standard bulb socket" are not given patentable weight. Instead, sockets for a commonly known miniature decorative lamp and that for flashing lamp are considered.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang et al. (U.S. Patent No. 5,828,183) in view of Wang (U.S. Patent No. 5,969,469) and Tsui (U.S. Patent No. 5,967,823).

Regarding Claims 1-8, Wang et al. (U.S. Patent No. 5,828,183) discloses a twinkle light set (Figures 2 and 3) comprising:

- At a plurality standard bulb sockets each housing a standard bulb B11, B12-B1N (Figure 2, column 2, line 45); and a plurality of non-

standard sockets each housing a flashing control bulb interpreted as a twinkle bulb.

However, Wang does not teach configuration including dimensions of sockets for a standard bulb and that for non-standard twinkle bulb.

On the other hand, Wang (U.S. Patent No. 5,969,469) disclosed a commonly known miniature lamp assembly comprising a lamp socket with elements 14 and 30 (Figure 6, column 2, lines 36 and 65. In addition, In addition, Tsui (U.S. Patent No. 5,967,823) discloses a belt light assembly comprising a socket for a flashing lamp 22 (Figure 2, column 4, lines 15-19).

Wang et al. (U.S. Patent No. 5,828,183) in view of Wang (U.S. Patent No. 5,969,469) and Tsui (U.S. Patent No. 5,967,823) teaches the socket housing a standard bulb 14,30 is sized and configured differently from that of the socket housing flashing bulb 22.

It would be have been obvious to one of ordinary skill in the art at the time of the invention to modify the accessory device of Wang et al. (U.S. Patent No. 5,828,183 by providing the sockets for standard lamps and for twinkle lamps as taught by Wang ('469) and Tsui for the benefit and advantage of cost effective assembly and spare part stocking.

Response to Amendment

6. Applicant's argument filed on March 25, 2002 with respect to rejections of claims 1-8 under 35 U.S.C. 112, first paragraph have been fully considered but they are not persuasive.

Argument: "a flashing bulb" and "a twinkle bulb" differ in structure and function as set forth in detail in the specification. The UL distinguishes between the two, and so should the examiner.

Response: Although the specification provides functional and structural details of a flashing bulb, it neither compares nor distinguishes a twinkling bulb from a flashing bulb. The lines and pages of the specification cited by the applicant lack the above information.

In addition, "twinkling" is defined as – rapid flashing motion – (Merriam Webster's Collegiate Dictionary). "a flashing bulb" and "a twinkle bulb" should be distinguished in terms of the light intensity during their operation. It appears that "a twinkle bulb" bulb emits light continuously at different light intensity, whereas, "a flashing bulb" emits light intermittently (on/ off cycle).

Argument: If the examiner interprets the limitation "standard bulb socket" to mean a "socket for commonly known miniature lamp" he should also interpret the limitation "non-standard bulb socket" to mean "a socket more commonly known miniature decorative twinkle lamp".

Response: Instead of using terms "standard socket" and "non-standard socket" in reciting the limitations, examine the feasibility of using "constant light intensity light bulb socket (non-twinkling bulb socket)" and "variable light intensity bulb socket (twinkle bulb socket)".

7. Applicant's arguments filed on March 25, 2002 with respect to rejections of claims 1-8 under 35 U.S.C. 103(a) have been fully considered but they are not persuasive.

Argument: Neither Wang et al. (U.S. Patent No. 5,828,183) nor Wang (U.S. Patent No. 5,969,469) shows or discusses "standard" and "non-standard" sockets.

Response: As detailed in the last Office Action, the limitations "standard bulb socket" and "non-standard bulb socket" are not given patentable weight.

Argument: Tsui (U.S. Patent No. 5,967,823) does not disclose a twinkle bulb, instead it shows flashing of a bulb because of its connection with an electric belt..

Response: As detailed in the last Office Action, this application has been examined considering a twinkle bulb as a flashing control bulb.

Conclusion

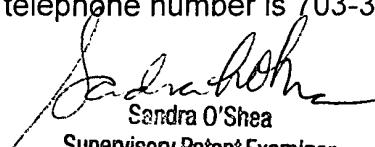
8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S Sawhney whose telephone number is 703-306-5909. The examiner can normally be reached on 6:15 - 2:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 703-305-4939. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-83037724 for regular communications and 703-308-8303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2956.



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800